

**SUPREME COURT MINUTES
THURSDAY, FEBRUARY 17, 2005
SAN FRANCISCO, CALIFORNIA**

S033440

PEOPLE v. BENAVIDES (VICENTE F.)
Opinion filed: Judgment affirmed in full

Opinion by Brown, J.
--- joined by George, C.J., Kennard, Baxter,
Werdegar, Chin, Moreno, JJ.

S117872

JACKSON (DEWAYNE D.) ON H.C.
Petition for writ of habeas corpus denied

S130160

G032039 Fourth Appellate District,
Division Three

EVANS v. ARENA FOOTBALL LEAGUE
Time extended to grant or deny review

to March 21, 2005

S130258

B168574 Second Appellate District,
Division Two

PEOPLE v. TYNDALL
Time extended to grant or deny review

to March 25, 2005

S130296

C048355 Third Appellate District

MEDICAL SCIENCE & TECHNOLOGY v. S.C.
(KONG)
Time extended to grant or deny review

to March 25, 2005.

S130299

C041749 Third Appellate District

CENTRAL DELTA WATER AGENCY v. STATE
WATER RESOURCES CONTROL BOARD
Time extended to grant or deny review

to March 29, 2005

S130711

F045226 Fifth Appellate District

PEOPLE v. S.C. (VIDAL)
Time extended to grant or deny review

to April 14, 2005

S127086B165665 Second Appellate District,
Division TwoGENERAL MOTORS v. FRANCHISE TAX BOARD
Extension of time granted

to April 1, 2005

S131302MATAELE v. S.C. (PEOPLE)
Transfer Order

The above-entitled matter is transferred to the Court of Appeal, First Appellate District, for consideration in light of *Hagan v. Superior Court* (1962) 57 Cal.2d 767. In the event the Court of Appeal determines that this petition is substantially identical to a prior petition, the repetitious petition shall be denied.

S113846ANDERSON ON DISCIPLINE
Probation revoked

Good cause having been shown, it is hereby ordered that probation is revoked, the previously ordered stay of execution of suspension in the above entitled matter is lifted, and **WILLIAM BARTLEY ANDERSON, State Bar No. 53070**, must be actually suspended from the practice of law for 60 days. The actual suspension in this case must be concurrent to that ordered in State Bar Court case no. 04-J-10884. Costs are awarded to the State Bar pursuant to Business & Professions Code section 6086.10 and payable in equal installments for membership years 2006, 2007 and 2008.

S129664GRABER ON DISCIPLINE
Recommended discipline imposed

It is ordered that **RICHARD EVAN GRABER, State Bar No. 137987**, be suspended from the practice of law for two years and until he provides proof to the satisfaction of the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii) of the Standards for Attorney Sanctions for

Professional Misconduct, that execution of suspension be stayed, and that he be placed on probation for three years on condition that he be actually suspended for 30 days. **Richard Evan Graber** is also ordered to comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed October 19, 2004. It is further ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar and one-third of said costs must be added to and become part of the membership fees for the years 2006, 2007 and 2008. (Bus. & Prof. Code section 6086.10.)

S129665**HINDLEY ON DISCIPLINE**

Recommended discipline imposed

It is ordered that **CHARLES THOMPSON HINDLEY, State Bar No. 55738**, be placed on probation for one year subject to the conditions of probation, including six months actual suspension, recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on September 16, 2004, as modified by its order filed October 29, 2004. If **Charles Thompson Hindley** returns to active membership status with the State Bar of California at any time prior to the effective date of this Order, it is further ordered that he comply with rule 955 of the California Rules of Court, and that he perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.* Costs are awarded to the State Bar and the full amount of said costs must be added to and become part of the membership fee for the year 2006. (Bus. & Prof. Code section 6086.10.)

*(See Bus. & Prof. Code, § 6126, subd. (c).)

S129666**HILTON ON DISCIPLINE**
Recommended discipline imposed

It is ordered that **LAWRENCE FRANKLIN HILTON, State Bar No. 35978**, be suspended from the practice of law for 90 days, that execution of the suspension be stayed, and that he be placed on probation for one year subject to the conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on October 18, 2004. It is further ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar and one-half of said costs must be added to and become part of the membership fees for the years 2006 and 2007. (Bus. & Prof. Code section 6086.10.)

S129667**HUFFMAN ON DISCIPLINE**
Recommended discipline imposed

It is ordered that **DONNALEE H. HUFFMAN, State Bar No. 60021**, be suspended from the practice of law for two years and until she provides proof to the satisfaction of the State Bar Court of her rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii) of the Standards for Attorney Sanctions for Professional Misconduct, that execution of the suspension be stayed, and that she be placed on probation for two years subject to the conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on October 18, 2004. It is further ordered that she take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar and one-third of said

costs must be added to and become part of the membership fees for the years 2006, 2007 and 2008. (Bus. & Prof. Code section 6086.10.)

S129717

WONG ON DISCIPLINE

Recommended discipline imposed

It is ordered that **RICHARD WONG, State Bar No. 192970**, be suspended from the practice of law for two years, that execution of suspension be stayed, and that he be placed on probation for two years on condition that he be actually suspended for 60 days. **Richard Wong** is also ordered to comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed October 18, 2004. It is further ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar and one-half of said costs must be added to and become part of the membership fees for the years 2006 and 2007. (Bus. & Prof. Code section 6086.10.)

S129718

WHITE ON DISCIPLINE

Recommended discipline imposed

It is ordered that **JAMES DARYL WHITE, State Bar No. 73139**, be suspended from the practice of law for two years and until he has shown proof satisfactory to the State Bar Court of respondent's rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii) of the Standards for Attorney Sanctions for Professional Misconduct, that execution of suspension be stayed, and that he be placed on probation for three years on condition that he be actually suspended for thirty days. Respondent is also ordered to comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its order

approving stipulation filed October 27, 2004. Costs are awarded to the State Bar pursuant to Business & Professions Code section 6086.10 and payable in accordance with Business & Professions Code section 6140.7.

S129720

SMITH ON DISCIPLINE
Recommended discipline imposed

It is ordered that **SCOTT ALAN SMITH, State Bar No. 182359**, be suspended from the practice of law for two years and until he has shown proof satisfactory to the State Bar Court of respondent's rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii) of the Standards for Attorney Sanctions for Professional Misconduct, that execution of the suspension be stayed, and that he be placed on probation for three years subject to the conditions of probation, including ninety days actual suspension, recommended by the Hearing Department of the State Bar Court in its order approving stipulation filed on November 3, 2004. It is also ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) It is further ordered that he comply with rule 955 of the California Rules of Court, and that he perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.* Costs are awarded to the State Bar in accordance with Business & Professions Code section 6086.10 and one-half of said costs must be added to and become part of the membership fees for the years 2006, and 2007.

*(See Bus. & Prof. Code, § 6126, subd. (c).)

S129722**ANDERSON ON DISCIPLINE**
Recommended discipline imposed

It is ordered that **WILLIAM BARTLEY ANDERSON, State Bar No. 53070**, be suspended from the practice of law for two years, that execution of suspension be stayed, and that he be placed on probation for two years on condition that he be actually suspended for 60 days. Respondent is also ordered to comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its order approving stipulation filed October 7, 2004. The actual suspension in this case must be concurrent to that ordered in S113846 (State Bar Court case no. 04-PM-14710). Costs are awarded to the State Bar pursuant to Business & Professions Code section 6086.10 and payable in equal installments for membership years 2006, 2007 and 2008.

S131373**BOURDON ON RESIGNATION**

The voluntary resignation of **Glenda Sue Bourdon, State Bar No. 105497**, as a member of the State Bar of California is accepted.

S131374**HOTTENSTEIN ON RESIGNATION**

The voluntary resignation of **Glenn A. Hottenstein, Jr., State Bar No. 35031**, as a member of the State Bar of California is accepted.

S131375**IWREY ON RESIGNATION**

The voluntary resignation of **Karen M. Iwrey, State Bar No. 91662**, as a member of the State Bar of California is accepted.

S131377**MADOLE ON RESIGNATION**

The voluntary resignation of **Juanita Marie Madole, State Bar No. 140971**, as a member of the State Bar of California is accepted.

S131378

NEWBY ON RESIGNATION

The voluntary resignation of **Carmen Joan Newby, State Bar No. 100024**, as a member of the State Bar of California is accepted.

S131380

WALSTER ON RESIGNATION

The voluntary resignation of **Katherine Randlett Walster, State Bar No. 45909**, as a member of the State Bar of California is accepted.

S131382

JOHNSON ON RESIGNATION

The voluntary resignation of **JAMES AUGUSTUS JOHNSON, State Bar No. 55771**, as a member of the State Bar of California is accepted.

S131383

KEARNEY ON RESIGNATION

The voluntary resignation of **REX THOMAS KEARNEY, JR., State Bar No. 39199**, as a member of the State Bar of California is accepted.

S131384

LOWREY ON RESIGNATION

The voluntary resignation of **THOMAS LOWREY, State Bar No. 96532**, as a member of the State Bar of California is accepted.